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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ARTHUR J. BREWER,

11 Petitioner,

12 vs.

13 WARDEN CALVIN JOHNSON, *et al.*,

14 Respondents.

Case No. 2:20-cv-00991-KJD-EJY

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO ANSWER
FIRST-AMENDED PETITION FOR WRIT
OF HABEAS CORPUS (FIRST REQUEST)**

15 Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada,
16 and Gerri Lynn Hardcastle, Deputy Attorney General, hereby move this Court for an enlargement of
17 time of thirty days, or up to and including Wednesday, May 25, 2022, to file and serve their answer to
18 Petitioner Arthur J. Brewer's (Brewer) first-amended petition for writ of habeas corpus at ECF No. 33.

19 This motion is based on the provisions of Rule 6(b)(1)(A) of the Federal Rules of Civil
20 Procedure and the attached Declaration of Counsel, as well as all other papers and pleadings on file
21 herein.

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1 This is Respondents' first request for an enlargement of time to file and serve their answer to
2 Brewer's first-amended habeas petition since this Court issued its order denying Respondents' motion
3 to dismiss. *See* ECF No. 50. Respondents make this motion in good faith and not for the purpose of
4 unnecessary delay.

5 RESPECTFULLY SUBMITTED this 25th day of April, 2022.

6 AARON D. FORD
7 Attorney General

8 By: /s/ Gerri Lynn Hardcastle
9 GERRI LYNN HARDCASTLE (Bar No. 13142)
10 Deputy Attorney General
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARTHUR J. BREWER,

Petitioner,

vs.

WARDEN CALVIN JOHNSON, *et al.*,

Respondents.

Case No. 2:20-cv-00991-KJD-EJY

**DECLARATION OF COUNSEL (IN
SUPPORT OF UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO ANSWER
FIRST-AMENDED PETITION FOR WRIT
OF HABEAS CORPUS (FIRST REQUEST))**

I, Gerri Lynn Hardcastle, hereby state, based on personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. I am a Deputy Attorney General employed by the Attorney General's Office of the State of Nevada in the Post-Conviction Division, and I represent Respondents in the above-referenced matter. I make this declaration in support of Respondents' motion for enlargement of time, first request.

2. Through this motion, I am requesting an enlargement of time of thirty days, or up to and including Wednesday, May 25, 2022, to file and serve my clients' answer to Brewer's first-amended petition for writ of habeas corpus at ECF No. 33. This is Respondents' first request for an enlargement of time to answer the first-amended petition since this Court issued its order denying Respondents' motion to dismiss. *See* ECF No. 50.

3. I am unable to timely file my clients' answer today due to the demands of my current caseload. During the week of April 11-17, 2022, I completed and filed three responses to habeas petitions, two of which had previously extended deadlines. During the week of April 18-24, 2022, I

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1 also completed and filed three responses to habeas petitions, where two of the three deadlines were
2 previously extended. These other cases have prevented me from devoting the time necessary to
3 answering Brewer's petition.

4 4. On April 21 and 22, 2022, I exchanged emails with Jonathan Kirshbaum, the Assistant
5 Federal Public Defender representing Brewer, and he does not object to the proposed enlargement of
6 time.

7 5. This motion is made in good faith and not for the purpose of unduly delaying the
8 ultimate disposition of this case.

9 6. Pursuant to 28 U.S.C. § 1746, I hereby certify, under penalty of perjury, that the
10 foregoing is true and correct.

11 EXECUTED on this 25th day of April, 2022.

12 By: /s/ Gerri Lynn Hardcastle
13 GERRI LYNN HARDCASTLE (Bar No. 13142)

14
15 **ORDER**

16 IT IS SO ORDERED.

17 Dated this 26th day of April, 2022.

18 
19 DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General and that on this 25th day of April, 2022, I served a copy of the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO ANSWER FIRST-AMENDED PETITION FOR WRIT OF HABEAS CORPUS (FIRST REQUEST)**, by U.S. District Court CM/ECF electronic filing to:

Jonathan M. Kirshbaum
Assistant Federal Public Defender
411 E. Bonneville Ave., Ste. 250
Las Vegas, Nevada 89101
Jonathan_kirshbaum@fd.org

/s/ Amanda White